

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

R.J. REYNOLDS TOBACCO COMPANY, *et al.*,

Plaintiffs,

v.

UNITED STATES FOOD AND DRUG
ADMINISTRATION, *et al.*,

Defendants,

CIVIL ACTION NO. 6:20-cv-00176

[PROPOSED] ORDER GRANTING PRELIMINARY INJUNCTION

The Court having determined that Plaintiffs have demonstrated a likelihood of success on the merits, that Plaintiffs would suffer irreparable harm absent this order, and that neither Defendants nor the public would suffer comparable injury from this order,

IT IS HEREBY ORDERED that Plaintiffs' Motion For Preliminary Injunction is GRANTED. Pursuant to 5 U.S.C. § 705 and Rule 65 of the Federal Rules of Civil Procedure, the Court hereby ORDERS:

1. Defendants are enjoined from enforcing against Plaintiffs, until 15 months after a Final Judgment from this Court addressing Plaintiffs' claims, the effective date of the new textual and graphic warnings implemented by the regulation published at 85 Fed. Reg. 15,638 (Mar. 18, 2020) and by 15 U.S.C. § 1333.
2. Defendants are enjoined from enforcing against Plaintiffs, until 15 months after a Final Judgment from this Court addressing Plaintiffs' claims, the effective dates of the related requirements found in 21 U.S.C. §§ 387c(a)(2), 387t(a).
3. Plaintiffs are permitted to continue using their current cigarette packages and

**PRIVILEGED & CONFIDENTIAL
ATTORNEY WORK PRODUCT**

advertising until 15 months after a Final Judgment from this Court addressing
Plaintiffs' claims.

It is SO ORDERED.